IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

RSA.No. 16 of 2004(B)

AS.112/2001 of VI ADDL.DISTRICT COURT, ERNAKULAM
OS.159/1992 of SUB COURT, MUVATTUPUZHA
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APPELLANT/IST RESPONDENT/PLAINTIFF.

HASSAN, S/O.PAREKATTIL BAPPU,
AGED 65 YEARS, RESIDING NELLIKUZHIKARA, ERAMALLUR VILLAGE, KOTHAMANGALAM.

BY ADV. SRI.P.A.ABDUL JABBAR

RESPONDENTS: APPELLANT/RESPONDENTS 2 TO 6.
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1. ABY, S/O.ABEL, AGED 43 YEARS,
RESIDING AT KATTANGANAYIL HOUSE,
KUROOR KARA, KOTHAMANGALAM P.O. KOTHAMANGALAM.

2. MOLLY, W/O.ABEL KATTANGANEYIL,
KUROOR KARA, KOTHAMANGLAM P.O.
KOTHAMANGALAM.

3. ABEL, S/O.KATTANGANYIL ITTYAVIRA,
RESIDING AT KATTANGANAYIL HOUSE,
KUROOR KARA, KOTHAMANGALAM P.O. KOTHAMANGALAM.

4. ALEXANDER, S/O.KATTANAGANAYIL VARKEY,
RESIDING AT THANGALAM KARA, ERAMALLOOR VILLAGE.

5. ROY, S/O.POULOSE, PULIYELIL VEETTIL,
RAMALLOOR KARA, KOTHAMANGALAM VILLAGE.

6. ALI, S/O.MANIYATTUKUDI KADER, RESIDING
PULICKAKUDIYIL, NELLIKUZHI KARA,
ERAMALLOR VILLAGE.

R1 BY ADV. SRI.S.SREEKUMAR
SRI.S.SHYAM

THIS REGULAR SECOND APPEAL HAVING BEEN FINALLY HEARD ON 10/01/2007, ALONG WITH RSA NO.159 OF 2005 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

R.S.A.Nos.16, 132 & 133 OF 2004
& 159 of 2005 and I.A.5/07 in RSA.16/04

Dated this the 10th day of January, 2007

JUDGMENT

All these appeals are from three suits which are jointly tried and disposed of. The parties have arrived at a settlement relating to the subject matter of all the three suits. This is recorded in the compromise petition I.A.5/07 filed in RSA.16/04. Hence I.A.5/07 is treated as a compromise petition containing the compromise settlement between the parties in all the three suits viz. O.S.Nos.160/91, 159/92, and 216/93 of the Sub Court, Muvattupuzha.

Accordingly, all the impugned decrees are set aside and the second appeals are disposed of recording the compromise and conditions of compromise contained in I.A.5/07 in RSA.16/04. The sketch appended to the said I.A. will be appended to the decrees in these appeals.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.